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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/884,549      | 06/19/2001  | Michael J. Lemon     | 10007916-1          | 2371             |

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EXAMINER

KUMAR, SRILAKSHMI K

ART UNIT PAPER NUMBER

2629

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |  |  |  |
|------------------------------|--|--|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/884,549   | <b>Applicant(s)</b><br>LEMON, MICHAEL J. |  |
|                              | <b>Examiner</b><br>Srilakshmi K. Kumar | <b>Art Unit</b><br>2675                  |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-15 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-15 and 17-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

The following office action is in response to the amendment filed November 23, 2005. Claims 1-3, 5-15, 17-20 are pending. Claims 1, 5, 8, 9, 11, 15, 17 and 19 have been amended.

#### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5-15, 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dymetman et al (US 6,330,976 in view of Levine et al (US 5,680,636) .

In reference to claim 1, Dymetman teaches a computer annotator system for accessing Internet data addresses, the system comprising, an electronic tablet having visible marking capability, a marking stylus associated with the tablet, a device for associating at least one temporarily marked location on said tablet with a preselected Internet data address wherein subsequently accessing said marked location with said stylus triggers a shift to said data address associated with said marked location (column 26, lines 19-30; column 3, lines 62-67).

Dymetman does not teach where the tablet is an electronic tablet. Levine et al disclose a document annotation and manipulation system wherein the document is annotated using an electronic tablet and marking stylus in col. 9, lines 14-35. It would have been obvious to one of ordinary skill in the art to incorporate an electronic tablet of Levine et al into that of Dymetman as the electronic tablets are user friendly and facilitate ease in changing documents without being computer savvy as disclosed by Levine in col. 1, lines 45-48.

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In reference to claims 2 and 3, Dymetman teaches that the tablet having at least one predetermined first surface region accessible to stylus wherein annotating function commands are implemented and a predetermined second surface region accessible to stylus wherein freehand symbols indicative of the preselected data address are entered (column 26, line 40-54; column 3, lines 62-67).

In reference to claim 5, Dymetman teaches a method for indexing computer-accessible Internet sites, the method comprising accessing a first of sites, associating an address indicative of the first of said sites with a first location coordinate address on a computer writing tablet via a first visible marking a first random location on said writing tablet during access of said first of said sites, accessing a second of said sites, and associating an address indicative of the second of said sites with a second location coordinate address on ((a)) the computer writing tablet via a second visible marking on a second random location on said writing tablet during access of said second of said sites (column 26, lines 19-29 and 40-54; column 3, lines 62-67). Dymetman does not teach where the tablet is an electronic tablet. Levine et al disclose a document annotation and manipulation system wherein the document is annotated using an electronic tablet and marking stylus in col. 9, lines 14-35. It would have been obvious to one of ordinary skill in the art to incorporate an electronic tablet of Levine et al into that of Dymetman as the electronic tablets are user friendly and facilitate ease in changing documents without being computer savvy as disclosed by Levine in col. 1, lines 45-48.

In reference to claim 6, Dymetman teaches an invention similar to the one being claimed, however he never explicitly teaches a method for a plurality of computer-accessible Internet sites other than said first and said second as long as there is available space for a further visible

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marking. This limitation is however, inherent to the art. As shown in the figures 6A and 3, the number of links that can be created is limited to the space of the available space for annotation.

In reference to claim 7, Dymetman does not disclose erasing a said visible marking on said writing tablet. Levine et al disclose erasing a said visible marking on said writing tablet in col. 5, lines 46-50 and col. 9, lines 53-67. It would have been obvious to one of ordinary skill in the art to incorporate an electronic tablet and erasing of visible markings of Levine et al into that of Dymetman as the electronic tablets are user friendly and facilitate ease in changing documents without being computer savvy as disclosed by Levine in col. 1, lines 45-48.

In reference to claim 8, Dymetman teaches a method for using a computer writing tablet, the method comprising associating an input-output port of the tablet with signals indicative of Internet-associated computer data addresses, when each of a plurality of the Internet-associated computer data addresses is accessed, writing a mnemonic object associated therewith respectively, wherein a location on said tablet of the mnemonic object is coupled to a current one of said Internet-associated computer data addresses, and accessing any specific one of said plurality of the Internet-associated computer data addresses by selecting the mnemonic object associated therewith (column 26, lines 19-30 and column 30, line 64-column 31, line 40).

Dymetman does not teach where the tablet is an electronic tablet. Levine et al disclose a document annotation and manipulation system wherein the document is annotated using an electronic tablet and marking stylus in col. 9, lines 14-35. It would have been obvious to one of ordinary skill in the art to incorporate an electronic tablet of Levine et al into that of Dymetman as the electronic tablets are user friendly and facilitate ease in changing documents without being computer savvy as disclosed by Levine in col. 1, lines 45-48.

In reference to claim 9, Dymetman teaches a method of predefining specific locations on said tablet with data indexing functions (column 3, lines 21-37).

In reference to claim 10, Dymetman does not disclose erasing a said visible marking on said writing tablet. Levine et al disclose erasing a said visible marking on said writing tablet in col. 5, lines 46-50 and col. 9, lines 53-67. It would have been obvious to one of ordinary skill in the art to incorporate an electronic tablet and erasing of visible markings of Levine et al into that of Dymetman as the electronic tablets are user friendly and facilitate ease in changing documents without being computer savvy as disclosed by Levine in col. 1, lines 45-48.

In reference to claim 11, Dymetman teaches a method of accessing an Internet site; and associating an address of the site with a writable mnemonic device in a computer writing tablet such that said site is re-accessible directly from said writable mnemonic device (column 26, lines 19-30 and column 3, lines 62-67). Dymetman however does not teach that the device is writable-erasable. Levine et al disclose erasing a said visible marking on said writing tablet in col. 5, lines 46-50 and col. 9, lines 53-67. It would have been obvious to one of ordinary skill in the art to incorporate an electronic tablet and erasing of visible markings of Levine et al into that of Dymetman as the electronic tablets are user friendly and facilitate ease in changing documents without being computer savvy as disclosed by Levine in col. 1, lines 45-48.

In reference to claim 12, Dymetman teaches that the method provides writing table function keys associated with writing-erasing a mnemonic device on said computer writing tablet (column 5, lines 10-18; column 28, lines 40-51). Dymetman however does not teach that the device is writable-erasable. Levine et al disclose erasing a said visible marking on said writing tablet in col. 5, lines 46-50 and col. 9, lines 53-67. It would have been obvious to one of

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ordinary skill in the art to incorporate an electronic tablet and erasing of visible markings of Levine et al into that of Dymetman as the electronic tablets are user friendly and facilitate ease in changing documents without being computer savvy as disclosed by Levine in col. 1, lines 45-48.

In reference to claim 13, Dymetman teaches providing predetermined coordinate regions of the writing tablet such that each said mnemonic device is automatically associated with one of said predetermined coordinate regions when entered therein (column 3, lines 60-67).

In reference to claim 14, Dymetman teaches automatically alternating access between a plurality of addresses accessed and associated with mnemonic devices by alternating current selection between said mnemonic devices with a writing tablet writing instrument column 26, lines 19-29 and 40-54; column 4, lines 24-34).

In reference to claim 15, Dymetman teaches computer code for recording temporal symbols associated with an Internet site address, computer code associating the Internet site address with a writable-erasable mnemonic device in a computer writing tablet for receiving said temporary symbols, and computer code for accessing said Internet site address via said temporary symbols (column 5, lines 1-5; column 26, lines 19-29 and 40-54; column 3, lines 62-67). Dymetman does not teach where the tablet is an electronic tablet. Levine et al disclose a document annotation and manipulation system wherein the document is annotated using an electronic tablet and marking stylus in col. 9, lines 14-35. It would have been obvious to one of ordinary skill in the art to incorporate an electronic tablet of Levine et al into that of Dymetman as the electronic tablets are user friendly and facilitate ease in changing documents without being computer savvy as disclosed by Levine in col. 1, lines 45-48.

In reference to claim 17, Dymetman teaches an internet access device in communication with the internet access device, a writing tablet and associated inking stylus, and associated with the combination of internet access device, writing tablet and stylus program code using said tablet for generating bookmarks thereon related to respective search resultant internet sites such that said sites are accessible directly via said bookmarks (column 26, lines 19-29 and 40-54; column 3, lines 62-67). Dymetman does not teach where the tablet is an electronic tablet. Levine et al disclose a document annotation and manipulation system wherein the document is annotated using an electronic tablet and marking stylus in col. 9, lines 14-35. It would have been obvious to one of ordinary skill in the art to incorporate an electronic tablet of Levine et al into that of Dymetman as the electronic tablets are user friendly and facilitate ease in changing documents without being computer savvy as disclosed by Levine in col. 1, lines 45-48.

In reference to claim 18, Dymetman teaches that the bookmarks are handwritten mnemonics associated with an Internet site address (column 26, lines 19-29 and 40-54).

In reference to claim 19, Dymetman teaches that the bookmarks are temporary representation of coordinates on said writing tablet (column 26, line 65-column 27, line 5).

In reference to claim 20, Dymetman teaches that the bookmarks activates a jump from a current internet site address to an internet site associated with another selected one of said bookmarks (column 5, lines 1-5; column 26, lines 19-29 and 40-54; column 3, lines 62-67).

#### ***.Response to Arguments***

1. Applicant's arguments, see page 8 of the response, filed November 23, 2005, with respect to the rejection(s) of claim(s) 1-3, 5-15, 17-20 under 35 USC 102 and 35 USC 103 anticipated by Dymetman in view of Price have been fully considered and are persuasive. Therefore, the



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rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Dymetman in view of Levine et al as disclosed above.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srilakshmi K. Kumar whose telephone number is 571 272 7769. The examiner can normally be reached on 10:00 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on 571 272 3638. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Srilakshmi K. Kumar  
Examiner  
Art Unit 2675

SKK  
March 17, 2006

  
SUMATI LEFKOWITZ  
SUPERVISORY PATENT EXAMINER